IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.831 OF 2007

Sanjay G. Sawane ...Applicant.

Versus

Union of India
and 2 Ors. ...Respondents.

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Mr.Uday Warunjikar i/b. Mr.Y.M.Rohira, Adv. for the Applicant.
Mr.Avinash D. Kango, Adv. for Respondent No.1.
Smt.A.S.Pai, APP, for State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 14th March, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant, the learned Advocate for respondent No.1 Union of India and the learned APP for the State.

2. The applicant is the proprietor of M/s.Mackinon Enterprises and M/s.Lasan Enterprises. An offence has been registered in relation to the activities of the applicant in regard to M/s. Mackinon Enterprises. In the said

case the applicant has been granted bail. It is now stated that the respondent Customs Authority intend to arrest the applicant in relation to his activities in regard to M/s.Lasan Enterprises. The activities in both the said cases are said to fall under section 135 of Customs Act.

3. The learned Advocate for the respondent Customs Authority has stated that the investigation in the said case is going on and the Authorities have yet to reach to a conclusion as to whether the remand application is to be filed by them. The applicant is already reporting to the office of respondent No.2 Customs Authority in relation to his activities as proprietor of M/s.Mackinon Enterprises.

4. Looking to the all these facts,I am inclined to pass the following order :-

ORDER

I. In case the Customs Authority is of the opinion that the custody of the applicant is necessary, they shall give 72

hours prior notice to the applicant.

II. The applicant shall cooperate with the investigation.

III. Application is disposed of.

(SMT.V.K.TAHILRAMANI,J.)